

## Town of Danville

## 32-72.17 Appeal.

- a. An action of the Heritage Resource Commission may be appealed to the Town Council by filing a written notice of appeal with the Town Clerk within ten (10) days following the determination of the Commission.
- b. The Town Council shall consider the appeal within thirty (30) days from receipt of the notice and may confirm, reject or modify the decision of the Commission. Written notice shall be provided to the appellant within ten (10) days after the Council's determination. (Ord. #89-8, §8-5817)

## City of Davis

## Section 40.23.110 Appeals.

The historical resources management commission's decision to approve, disapprove, or approve subject to conditions any application for an alteration permit may be appealed, in writing, by the applicant or any resident of the city to the city council within ten calendar days. Standards for appeals and the content of notices shall be as set out for appeals in this chapter. If no appeal is filed with the city clerk within ten calendar days after the decision of the historical resources management commission, such decision is final. (Ord. No. 1270, § 2 (part); Ord. No. 1784, § 1 (part); Ord. No. 1890, § 1.)

## City of Fresno

## 13-415. Appeal Procedure.

- a. Any decision relating to the approval with modifications or disapproval of an application for any permit pursuant to Sections 13-412 and 13-413 may be appealed to the Council by the property owner not later than twenty (20) days following service by mail by the Specialist of the notice of decision and findings on the property owner. Service shall be deemed complete on the date of mailing. Such appeal shall be taken by filing a notice of appeal in duplicate, in the following format, with the Secretary who shall forthwith transmit to the City Clerk all papers and documents on file with the Secretary relating to the appeal:
  1. A caption reading "Appeal of \_\_\_\_\_" giving the name and address of the applicant;
  2. A brief description of the specific order, decision or determination being appealed;
  3. A statement of the relief sought;
  4. The reasons why such relief should be granted.
- b. The City Clerk shall cause the appeal to be set for hearing before the Council within thirty days of receipt of the notice of appeal. Not later than ten days prior to the date of the hearing on the appeal, the City Clerk shall notify the appellant and all persons requesting such information in writing, of the date, time and location of the appeal.
- c. Following consideration of the appeal, the Council may approve, disapprove or approve with modifications the application, or may refer the appeal to the Commission for further consideration.

## City of Glendale

## 15.20.040 Appeals.

- A. A decision regarding a historic resource by the permit services administrator or by the director of planning shall become final fifteen days following the date of the decision unless an appeal to the historic preservation commission is filed.
- B. A decision of the historic preservation commission shall become final fifteen days following the date of the decision unless an appeal to the city council is filed pursuant to the provisions of Chapter 2.88 of this code relating to the uniform appeal procedure. (Ord. 5110 § 11, 1996)

## City of Pasadena

## 2.75.228 Appeals.

The following decisions by the commission under this chapter may be appealed by any interested party to, or may be called for review by, the city council as provided in Chapter 17.104 of this code:

- A. Decisions regarding relief from the replacement building permit requirement;

- B. Impositions of building prohibitions for unauthorized demolitions under Section 2.75.290;
- C. Approval, conditional approval or denial of a certificate of appropriateness, except for imposition of a 45-day review period;
- D. Decisions regarding placement of a sign on the historic sign inventory;
- E. Decisions of the planning director pursuant to Section 14.06.090; and
- F. Decisions of the planning director pursuant to Chapter 17.52. (Ord. 6712 §2, 1997: Ord. 6610 § 20, 1994)

#### City of Redondo Beach

##### 10-4.501. Appeals.

Any decision by the Preservation Commission to approve or disapprove a designation of a landmark or historic district, or to approve or disapprove a Certificate of Appropriateness, may be appealed to the City Council by any party who had appeared in person or by representative, or had submitted written materials during the course of the Commission's review. Such party may appeal by filing a notice of appeal with the City Council not later than twenty (20) days after the Commission's written decision has been filed with the City Clerk. The City Council shall schedule a public hearing to be held no later than forty (40) days after the notice of appeal is filed, and shall render its decision within forty (40) days of said hearing date. (§ 2, Ord. 2554 c.s., eff. August 31, 1989)

#### City of Santa Cruz

##### 24.08.1050 Demolition Appeal.

1. If an application for a landmark alteration permit to demolish a designated landmark is appealed, the city council may continue action on the appeal for a period of up to one hundred eighty days from the date of the council's public hearing. If the city council fails to act in this period of up to one hundred eighty days, the application shall be deemed to have been approved.
2. If the appeal is for permit approval, the city council during this period may with the advice and assistance of the historic preservation commission take such steps as it determines are necessary to preserve the structure concerned, in accordance with the city's historic preservation purposes (Section 24.12.400). Such steps may include, but shall not be limited to, consultations with civic groups, public agencies, and interested citizens, recommendations for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one or more structures or other features. (Ord. 91-12 § 4, 1991: Ord. 85-05 § 1 (part), 1985).

#### City of Santa Monica

##### 9.36.180 Appeals.

An appeal to the City Council of an action of the Landmarks Commission shall be processed in accordance with the following procedure:

- a. Each of the following actions by the Commission may be appealed to the City Council:
  1. A determination of the Commission that an application for the designation of a Landmark or of a Historic District does not merit formal consideration by the Commission, and a determination thereto not to schedule a public hearing.
  2. A decision of the Commission, after a public hearing, to approve, in whole or in part, or disapprove an application for the designation of a Landmark.
  3. A decision of the Commission, after a public hearing, defining and describing an appropriate Landmark Parcel upon which a Landmark is situated.
  4. A determination of the Commission, after a public hearing, amending, modifying or rescinding any decision to designate a Landmark or Landmark Parcel, or any preliminary or supplemental designations, determinations or decisions, as additions thereto.
  5. A decision of the Commission to approve in whole or in part, or disapprove an application for a certificate of appropriateness.
  6. Any decision of the Commission relating to a structure of merit.

7. The approval or disapproval of an application of a Landmark, Historic District, Structure of Merit, or certificate of appropriateness that occurred as a result of the expiration of the required time periods for processing such applications.
- b. Any person may appeal a determination or decision of the Commission by properly filing with the Director of Planning and the City Clerk a notice of appeal on a form furnished by the Planning Department. Such notice of appeal shall be filed with the Director of Planning and the City Clerk within a ten day time period commencing from the date that such determination or decision was filed with the Director of Planning or from the date an application is deemed approved or disapproved because of the failure to comply with any time period set forth in this Chapter. The notice of appeal shall be accompanied by a fee required by law. Notwithstanding any of the foregoing, any member of the Commission or City Council may request a review by the Commission or City Council of any determination or decision of the Commission without the accompaniment of such fee in the amount required by law.
- c. The City Council shall schedule a public hearing to be held within forty-five days after the notice of appeal is properly filed with the Director of Planning and the City Clerk.
- d. Not more than twenty days and not less than ten days prior to the date scheduled for a public hearing, notice of the date, time, place and purpose thereof shall be given by the Director of Planning by at least one publication in a daily newspaper of general circulation, and shall be mailed to the appellant, owner of the Landmark in the case of any action regarding a Landmark, owners of all real property within the Historic District in the case of any action regarding an entire Historic District, owners of all real property within three hundred feet of the exterior boundaries of the Landmark Parcel in the case of any action regarding a Landmark, owners of all real property within three hundred feet of the exterior boundaries of the Historic District in the case of any action regarding an entire Historic District, and to owners of all real property within three hundred feet of the exterior boundaries of the lots or lots on which a building or structure is located in the case of any action regarding a building or structure within a Historic District, using for this purpose the names and addresses of such owners as are shown on the records of the County Assessor. The failure to send notice by mail to any such real property where the address of such owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed designation. The Commission or the City Council may also give such other notice as it may deem desirable and practicable.
- e. At the conclusion of a public hearing, or any continuation thereof, but in no case more than thirty days from the date set forth the initial public hearing, the City Council shall render its decision on the notice of appeal and shall approve, in whole or in part, or disapprove the prior determination or decision of the Commission. If the City Council fails to take action on the notice of appeal within the thirty day time period, the notice of appeal shall be deemed disapproved, and it shall be the duty of the City Clerk to certify such disapproval.
- f. The decision of the City Council shall be in writing and shall state the findings of fact and reasons relied upon to reach the decision, and such decision shall be filed with the Director of Planning and the City Clerk.
- g. Upon the rendering of such decision by the City Council, the appellant and the owner of the Landmark in the case of a decision regarding a Landmark, the owners of all real property within the Historic District in the case of a decision regarding an entire Historic District, or the owner of a building or structure in the case of a building or structure within a Historic District shall be given written notification of such decision by the Director of Planning, using for this purpose the names and addresses of such owners as are shown in the records of the City Clerk. A decision of the City Council on a notice of appeal shall be in full force and effect from and after the date of the rendering of such decision by the City Council. (Prior code § 9612; added by Ord. No. 1028CCS, adopted 3/24/76; amended by Ord. No. 1429CCS, adopted 12/8/87; Ord. No. 1590CCS § 1, adopted 7/23/91)